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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,806	10/30/2000	David Tolpin	25310-1	8727
21186	7590	09/28/2004	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			HUTTON JR, WILLIAM D	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,806

Applicant(s)

TOLPIN, DAVID

Examiner

Doug Hutton

Art Unit

2179

[Signature]

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05262004</u> . | 6) <input type="checkbox"/> Other: _____ |

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Applicant's Response

In Applicant's Response dated 26 May 2004, Applicant amended Claims 1, 7, 14, 19 and 20, and argued against all objections and rejections previously set forth in Paper No. 7.

All objections previously set forth are withdrawn.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the "merging" of two adjacent rectangles representing textual areas into a single rectangle (Claim 5).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6-13 remain rejected under 35 U.S.C. 102(b) as being anticipated by Ferrel et al., U.S. Patent No. 5,860,073.

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Claim 1:

Ferrel discloses a method of electronically rendering data on a computer readable medium (see Figure 6), comprising:

- receiving one or more text objects (see element 382, Figure 6) and floating objects (see element 390, Figure 6) according to an input data format (objects 382 and 390 ***inherently*** have an “input data format” in that objects 382 and 390 are computer input and all computer input has a format);
- generating floating areas to house the floating objects (see Figure 6 – “floating areas” are generated to house floating objects 390 and 392 in Figure 6);
- outputting the floating areas at predetermined locations (see Column 17, Lines 57-60) according to an output data format (the “floating areas” ***inherently*** have an “output data format” in they are included on a web page that is displayed on a browser and all display objects that are output to a browser have a format);
- generating one or more textual areas to house the text objects, the textual areas comprising an outputted area where the floating areas have been removed (see Figure 6 – “textual areas” are generated to house text objects 382 and 386 in Figure 6; these textual areas comprise an “outputted area where the floating areas have been removed” in that the textual areas are located wherever the floating areas are not located); and
- outputting the textual areas adjacent to the floating areas (see Figure 6) according to the output data format (the “textual areas” ***inherently*** have an

"output data format" in they are included on a web page that is displayed on a browser and all display objects that are output to a browser have a format).

Claim 2:

Ferrel discloses the method of Claim 1, further comprising:

- linking the textual areas creating a linked list of textual areas; and
- sequentially inserting the text objects into the linked list starting at a head of the list (see Figures 7 and 8; see Column 17, Line 61 through Column 20, Line 62 – the "textual areas" are linked to the respective "text objects" which are "sequentially inserted" into the "linked list" as specified through the project editor).

Claim 3:

Ferrel discloses the method of Claim 1, further comprising:

- linking the floating areas creating a linked list of floating areas; and
- sequentially inserting the floating objects into the linked list starting at a head of the list (see Figures 7 and 8; see Column 17, Line 61 through Column 20, Line 62 – the "floating areas" are linked to the respective "floating objects" which are "sequentially inserted" into the "linked list" as specified through the project editor).

Claim 4:

Ferrel discloses the method of Claim 1, wherein the floating areas and the textual areas are generated by forming geometric rectangles (see Figure 8).

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Claim 6:

Ferrel discloses the method of Claim 1, further comprising:

- displaying the outputted floating areas and textual areas within a viewer (the “outputted” floating areas and textual areas are displayed “within a viewer” in that the user views the web page using a browser on a computer monitor).

Claims 7-11:

These claims are for a “system” that performs the method of Claims 1-4 and 6.

Thus, these claims are rejected using the same rationale.

Claim 12:

The system of Claim 11, wherein the defining is done by tagging the text objects and the floating objects with a markup language (see Column 2, Lines 5-17).

Claim 13:

The system of Claim 12, wherein the markup language is at least one of extended markup language, extended style sheets language, and portable document format (see Column 2, Lines 37-47).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel et al., U.S. Patent No. 5,860,073.

Claim 5:

As indicated in the above discussion, Ferrel discloses every element of Claim 4.

Ferrel fails to expressly disclose two adjacent rectangles representing textual areas that are merged into a single rectangle. However, Ferrel does disclose "textual areas" and "floating areas" (see Figure 8) into which "text objects" and "floating objects" can be poured. Ferrel also discloses amending the "textual areas" and "floating areas" of a style sheet with an editor (see Column 27, Line 37 through Column 28, Line 51) for the purpose of modifying the appearance of web pages.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of electronically rendering data on a computer readable medium, disclosed in Ferrel, to include the step of merging two adjacent rectangles representing textual areas into a single rectangle for the purpose of modifying the appearance of web pages, as taught by Ferrel.

Claim 14:

Ferrel discloses a method of electronically providing for a footnote body on a page (see Figures 6, 8 and 9), comprising:

- receiving one or more page objects including reference objects (380 and 384, Figure 6) and body objects (382 and 386, Figure 6);
- generating a body area located at the bottom of a page to house the body objects ("body areas" are generated at the "bottom" of a page to house body objects 382 and 386 in Figure 6);
- generating a reference area located above the body area to house the reference objects (a "reference area" located "above" the "body area" is generated to house reference objects 380 and 384 in Figure 6); and
- forming a reference geometric rectangle representing the reference area and a body geometric rectangle representing the body area (see Figure 8).

Ferrel fails to expressly disclose:

- expanding an area of the body geometric rectangle to accommodate an additional body object while decreasing a second area of the reference area maintaining an overall area associated with the page.

However, Ferrel teaches "body areas" and "reference areas" (see Figure 8) into which "body objects" and "reference objects" can be poured. Ferrel also teaches amending the "body areas" and "reference areas" of a style sheet with an editor (see Column 27, Line 37 through Column 28, Line 51) for the purpose of insuring that a reference object

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was properly displayed. Moreover, it was well-known by one of ordinary skill in the art of document processing at the time the invention was made to adjust "body areas" and "reference areas" of a page in the document (see Hayashi et al., U.S. Patent No. 5,600,771 – Column 1, Lines 11-50) in order to include a footnote reference on the same page that it is cited.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of electronically providing for a footnote body on a page, disclosed in Ferrel, to include the step of expanding an area of the body geometric rectangle to accommodate an additional body object while decreasing a second area of the reference area maintaining an overall area associated with the page for the purpose of insuring that a reference object was properly displayed, as taught by Ferrel.

Claim 15:

Ferrel discloses the method of Claim 14, further comprising:

- displaying the reference geometric rectangle area and the body geometric rectangle area in a browser (see Figure 6).

Claim 16:

Ferrel discloses the method of Claim 14, further comprising:

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- delivering the page including the reference geometric rectangle area and the body geometric rectangle area to at least one of a browser and a printer in a markup language defining the page (see Figure 6).

Claim 17:

Ferrel discloses the method of Claim 16, wherein the markup language is at least one of extended markup language, extended style sheets language, and portable document format (see Column 2, Lines 37-47).

Claim 18:

Ferrel discloses the method of Claim 16, wherein the delivering the page occurs as reference objects and body objects are piped to a set of executable instructions operable to insert the markup language representing a displayed page (this automatically occurs because the reference invention operates on a computer).

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel, in view of Cuan et al., U.S. Patent No. 4,503,515.

Claim 19:

As indicated in the above discussion, Ferrel discloses every element of Claim 14. Ferrel also discloses objects that are "reference objects" (see Table 2 in Column 23).

Ferrel fails to expressly disclose:

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- associating automatically a reference tag of the reference object with a text description of the body object.

Cuan teaches:

- associating automatically a reference tag of the reference object with a text description of the body object (see Figures 1-7),

for the purposes of providing a smooth flow of information to a reader at different locations within a document and managing footnotes upon printout (see Column 1, Line 26 through Column 2, Line 35).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of electronically providing for a footnote body on a page, disclosed in Ferrel, to include the step of associating automatically a reference tag of the reference object with a text description of the body object for the purposes of providing a smooth flow of information to a reader at different locations within a document and managing footnotes upon printout, as taught by Cuan.

Claim 20:

Ferrel fails to expressly disclose a reference tag that is a numeric character which is automatically incremented with each new reference tag.

Cuan teaches a reference tag that is a numeric character which is automatically incremented with each new reference tag (see Figures 1-7 and Column 1, Line 26 through Column 2, Line 35) for the purposes of providing automatic footnote numbering and updating (see Column 1, Line 26 through Column 2, Line 35).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of electronically providing for a footnote body on a page, disclosed in Ferrel, to include the step of providing a reference tag that is a numeric character which is automatically incremented with each new reference tag for the purposes of providing automatic footnote numbering and updating, as taught by Cuan.

Response to Arguments

Applicant's arguments filed 26 May 2004 have been fully considered but they are not persuasive.

Applicants arguments for Claims 1, 7 and 14:

Applicant argues that Ferrel fails to disclose transferring data from an input data format to an output data format, such that the same initial layout for that data is maintained. See *Applicant's Response* – Page 7, first paragraph, third sentence through Page 7, second paragraph, first sentence.

The examiner disagrees.

The amendments attempt to recite that Applicant's method receives a document in a first format, converts said document to a second format and outputs said document in said second format. However, the amendments only essentially state that the document is received "according to an input format" and outputted "according to an

output format.” Nothing in the amendments indicate that the document is converted from one format to another format. Thus, as the claims are currently worded, the “input format” could be the same format as the “output format.”

Applicant argues that Ferrel fails to disclose automatically translating or rendering data from an input format to an output format using the same layout because Ferrel cannot automatically render data from HTML to PDF. See *Applicant’s Response* – Page 7, first paragraph, third sentence through Page 7, second paragraph, first sentence.

The examiner disagrees.

As previously stated, the amendments say nothing about converting the format of a document. Ferrel does “automatically translating or rendering data from an input format to an output format using the same layout” in that the objects comprising the web page shown in Figure 6 are received “in an input format” and “automatically rendered” by the user’s browser in an “output format” using the “same layout” that is specified by the associated style sheets.

Moreover, it was well-known by one of ordinary skill in the art (i.e., a computer programmer) at the time the invention was made to receive a document in an input data format and converting said document into an output data format, as indicated by the present application (see Specification – Page 2, Line 18 through Page 3, Line 12).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
September 8, 2004



STEPHEN S. HONG
PRIMARY EXAMINER